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September 7, 2010

Via ECFS
Marlene H. Dortch, Secretary
Federal Communications Commission
445 Twelfth Street, SW
Washington, DC 20554

Re: Notice of ex parte presentation
WC Docket Nos. 10-90, 05-337

Dear Ms. Dortch:

On Friday, September 3, 2010, T-Mobile USA, Inc. (“T-Mobile”) met with staff from the Commission’s Wireline Competition Bureau (“WCB”) and Wireless Telecommunications Bureau (“WTB”) to discuss plans for high-cost universal service reform and a Mobility Fund as discussed in the National Broadband Plan.¹ T-Mobile was represented by Kathleen O’Brien Ham, Dave Conn, Garnet Hanly, Indra Sehdev Chalk, and outside counsel L. Charles Keller of Wilkinson, Barker, Knauer, LLP. Jane Jackson, Margaret Wiener, Gary Michaels, and Martha Stancill from WTB joined the meeting, and Randy Clarke, Patrick Halley, Amy Bender, and Katie King from WCB also attended.

With regard to the design of a potential Mobility Fund, T-Mobile representatives emphasized the need for reasonably competitive opportunities to be made available to wireless carriers, including those that use spectrum in the upper bands, with its different propagation characteristics, and those that are unable to self-provision backhaul. The program should be designed to encourage as much wireless carrier participation as possible. T-Mobile also urged the Commission to design the Mobility Fund to enable customers to roam in rural areas no matter what wireless technology they may use (e.g., GSM, CDMA, LTE, etc.). T-Mobile also expressed concern about the proposal to limit the Mobility Fund to one-time support, given that service to very rural and high-cost areas often will remain uneconomic absent support for ongoing operations, particularly backhaul. Finally, T-Mobile discussed the need for the program to identify the scope of unserved areas to include those in which people travel and work, such as forestry and mining work sites, National Parks and recreation areas, and uninhabited road miles.

¹ National Broadband Plan (“NBP”) at 146, Rec. 8.3.

With regard to broader high-cost universal service reform and the design of the Connect America Fund (“CAF”), T-Mobile representatives emphasized the importance of ensuring that wireless providers have the opportunity to participate on a level playing field with fixed providers in filling America’s broadband availability gap. To this end, the Commission must urgently make available more spectrum with good propagation characteristics for mobile broadband. This will enable more competitors to compete to serve rural America, ultimately lowering the cost of service and decreasing the need for subsidy. Any transition from current universal service programs to reformed systems must also be conducted in a competitively neutral manner. For example, legacy competitive ETC support should be phased out on the same timeline as legacy incumbent LEC support.

This filing is made consistent with section 1.1206(b)(2) of the Commission’s rules.

Sincerely,

Kathleen O’Brien Ham

cc (email): Randy Clarke
 Patrick Halley
 Amy Bender
 Katie King
 Jane Jackson
 Margaret Wiener
 Gary Michaels
 Martha Stancill